## Senate File 26 - Introduced

SENATE FILE 26
BY TAYLOR

## A BILL FOR

- 1 An Act relating to relocating, establishing, and consolidating
- 2 county seats.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 1 Section 1. <u>NEW SECTION</u>. 331.331 Duties relating to county 2 seats petition.
- 1. a. If a petition meeting the requirements of section
- 4 331.306 and subsection 5 of this section is filed with the
- 5 board of supervisors proposing a public measure to relocate
- 6 a county seat, establish an additional county seat, or
- 7 consolidate county seats, the board shall direct the county
- 8 commissioner of elections to submit the question on the
- 9 public measure to the registered voters of the county.
- 10 Notwithstanding any provision of law to the contrary, the
- 11 public measure may only be submitted to the electorate at the
- 12 general election for the office of president of the United
- 13 States next following the filing of the petition.
- 14 b. The board shall propose a plan to implement the
- 15 relocation, establishment, or consolidation within two
- 16 years, and shall gather information on costs associated
- 17 with implementing the plan and associated changes to county
- 18 emergency services.
- 19 2. a. The question to relocate a county seat shall be
- 20 submitted to the electors in substantially the following form:
- 21 Shall the county seat for (name of county) be relocated from
- 22 (name of city serving as county seat) to (name of city named on
- 23 the petition)?
- 24 b. The question to establish an additional county seat shall
- 25 be submitted to the electors in substantially the following
- 26 form:
- 27 Shall (name of county), with its county seat located at (name
- 28 of city serving as county seat), establish an additional county
- 29 seat at (name of city named on the petition)?
- 30 c. The question to consolidate county seats shall be
- 31 submitted to the electors in substantially the following form:
- 32 Shall the county seats for (name of county) be consolidated
- 33 from (name of city serving as county seat) and (name of
- 34 city serving as county seat) to (name of city named on the
- 35 petition)?

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- If a ballot includes a question under subsection 2,
- 2 the notice of election published pursuant to section 49.53
- 3 shall include a brief description of the proposed relocation,
- 4 establishment, or consolidation and a summary of information
- 5 provided by the board on costs associated with implementing
- 6 the board's plan and associated changes to county emergency
- 7 services if the public measure is adopted.
- 8 4. A public measure under subsection 2 is adopted if
- 9 the vote cast in favor of the question is equal to at least
- 10 sixty percent of the total votes cast for and against the
- 11 question. If the public measure is adopted, the board shall,
- 12 notwithstanding any provision of law to the contrary, proceed
- 13 to implement its plan to relocate, establish, or consolidate
- 14 county seats.
- 15 5. a. The board shall dismiss a petition filed under this
- 16 section as invalid if adoption of the public measure would
- 17 result in a violation of section 331.332.
- 18 b. The board shall dismiss a petition filed under this
- 19 section as invalid if it is filed with the board less than
- 20 eighty-two days before the next general election for the office
- 21 of president of the United States.
- 22 Sec. 2. NEW SECTION. 331.332 County seats limitations.
- A county shall have at least one, and not more than two,
- 24 county seats at any one time.
- 25 2. The county seat must be located within the county.
- 26 EXPLANATION
- 27 The inclusion of this explanation does not constitute agreement with
- the explanation's substance by the members of the general assembly.
- 29 This bill requires a county, upon filing of a valid
- 30 petition, to submit to the voters a public measure to relocate,
- 31 establish, or consolidate county seats.
- 32 The bill provides that if a valid petition is filed with
- 33 the board of supervisors, proposing a public measure to
- 34 relocate a county seat, establish an additional county seat,
- 35 or consolidate county seats, the board shall propose a plan

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- 1 to implement the relocation, establishment, or consolidation
  2 within two years.
- 3 The bill requires the county commissioner of elections
- 4 to submit the public measure to the registered voters at the
- 5 general election for the office of president of the United
- 6 States next following the filing of the petition. A public
- 7 measure to relocate, establish, or consolidate a county seat is
- 8 adopted if the vote cast in favor is at least 60 percent of the
- 9 total votes cast for and against the public measure. The board
- 10 is required to implement its plan to relocate, establish, or
- 11 consolidate county seats if the public measure is adopted.
- 12 The bill provides that the notice of election required to
- 13 be published shall contain a brief description of the proposed
- 14 relocation, establishment, or consolidation and a summary of
- 15 information provided by the board of supervisors on costs
- 16 associated with implementing its plan and associated changes to
- 17 county emergency services if the measure is adopted.
- 18 The bill requires a county to have at least one, but not more
- 19 than two, county seats at any one time and that a county seat
- 20 must be located within the county. The bill requires that the
- 21 board of supervisors dismiss a petition as invalid if adoption
- 22 of the public measure would violate these requirements or if
- 23 the petition is filed less than 82 days before the next general
- 24 election for the office of president of the United States.